

EXHIBIT 1

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

NATIONAL EDUCATION
ASSOCIATION; *et al.*,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF
EDUCATION; *et al.*,

Defendants.

Case No. 1:25-cv-00091-LM

**SUPPLEMENTAL DECLARATION OF
HENRY R. KLEMENTOWICZ IN
SUPPORT OF PLAINTIFFS' MOTION
FOR PRELIMINARY INJUNCTION**

I, Henry R. Klementowicz, pursuant to the penalty of perjury under 28 U.S.C. § 1746, do hereby state the following:

I am an attorney with the American Civil Liberties Union of New Hampshire and counsel to Plaintiffs in this action. I submit this Supplemental Declaration in support of Plaintiffs' Motion for a Preliminary Injunction.

Attached¹ are true and correct copies of the following exhibits²:

- A. U.S. Dep't of Educ., Reminder of Legal Obligations Undertaken in Exchange for Receiving Federal Financial Assistance and Request for Certification under Title VI and *SFFA v. Harvard* (Apr. 3, 2025), <https://perma.cc/A8VQ-JRZB>.
- B. N.H. Dep't of Educ., Certification Requirement Directions (Apr. 3, 2025).

¹ Lengthy exhibits marked with an asterisk have been excerpted.

² Exhibits A–H were originally filed in support of Plaintiffs' Emergency Motion for Temporary Restraining Order, ECF 41-4–41-11. Exhibits I & J were originally filed in support of Plaintiffs' Addendum to Plaintiffs' Emergency Motion for Temporary Restraining Order, ECF 47-1 and 47-2. Exhibits K–N are supplemental declarations from School District Plaintiffs, filed in support of Plaintiffs' Motion for Preliminary Injunction, ECF 34.

- C. Press Release, U.S. Dep't of Educ., ED Requires K-12 School Districts to Certify Compliance with Title VI and Students v. Harvard as a Condition of Receiving Federal Financial Assistance (Apr. 3, 2025), <https://perma.cc/6UKX-7E66>.
- D. *New York State Revised State Template for the Consolidated State Plan: The Elementary and Secondary Education Act of 1965, as Amended by the Every Students Succeed Act* (2024).*
- E. *Massachusetts Consolidated State Plan Under the Every Students Succeeds Act (ESSA) October 2024* (2024).*
- F. Letter from Daniel Morton-Bentley, Counsel & Deputy Comm'r, N.Y. State Educ. Dep't, to U.S. Dep't of Educ., Off. of C.R. (Apr. 4, 2025).
- G. Memorandum from Lindsey Labonville, Adm'r, Bureau of Fed. Compliance, N.H. Dep't of Educ., on General Assurances FY 2026 to Senior Education Officials (Apr. 4, 2025).
- H. Mandatory Supplement Questionnaire.
- I. N.H. Dep't of Educ., Updated Deadline for Certification Requirement (Apr. 8, 2025).
- J. Globe New Hampshire, Morning Report: N.H. Schools Told to Certify Compliance with Trump's Anti-DEI Orders (Apr. 9, 2025).
- K. Declaration of Christine Boston, Superintendent of Dover School District (April 12, 2025).
- L. Declaration of Jay Badams, Superintendent of Hanover & Dresden School Districts (April 11, 2025).

- M. Declaration of Robert Shaps, Superintendent of Oyster River Cooperative School District (April 12, 2025).
- N. Declaration of John Shea, Superintendent of Somersworth School District (April 10, 2025).

Dated: April 14, 2025

/s/ Henry R. Klementowicz

Henry R. Klementowicz (N.H. Bar No. 21177)

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